

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

ELIJAH RUSSELL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:05-CV-731-RBP-PWG
	)	
LT. TURNER and SHERIFF ALEXANDER,	)	
	)	
Defendants.	)	

**MEMORANDUM OF OPINION**

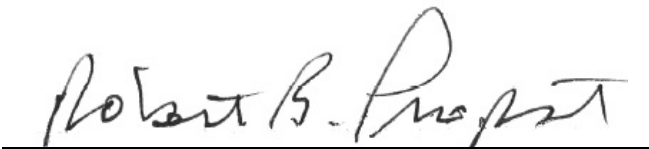
The magistrate judge filed a report and recommendation on October 6, 2005, recommending that all claims in this action filed pursuant to 42 U.S.C. § 1983 against all defendants in their official capacities, and all claims against Sheriff Alexander be DISMISSED pursuant to 28 U.S.C. § 1915A(b)(1) and/or (2). The magistrate judge further recommended that plaintiff's request for injunctive relief be DENIED, and the Eighth Amendment claims against Lt. Turner, Deputy Leroy and Deputy Travis in their individual capacities be REFERRED to the magistrate judge for further proceedings. No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, all claims against all defendants in their official capacities, and all claims against Sheriff Alexander are due to be DISMISSED WITH PREJUDICE pursuant

to 28 U.S.C. § 1915A(b)(1) and/or (2). Further, plaintiff's request for injunctive relief is due to be DENIED, and the Eighth Amendment claims against Lt. Turner, Deputy Leroy and Deputy Travis in their individual capacities are due to be REFERRED to the magistrate judge for further proceedings.

An appropriate order will be entered.

DATED this 1<sup>st</sup> day November, 2005.



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**ROBERT B. PROPST**  
**SENIOR UNITED STATES DISTRICT JUDGE**